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CLARK & ELBING LLP
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BOSTON MA 02110

In re Application of
Jeffrey A. Hubbell et al
Serial No.: 09/496,231
Filed: February 1, 2000
Attorney Docket No.: 50154/002002

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: WITHDRAWAL OF ABANDONMENT
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This is in response to the petition under 37 CFR 1.181, filed July 11, 2003, requesting withdrawal of abandonment based on a timely filed reply.

A review of the file history shows the examiner mailed a non-Final Office action to applicants on October 3, 2002 setting a three month shortened statutory period for reply. Upon failure to receive a reply a Notice of abandonment was mailed to applicants on June 17, 2003. Applicants state that a timely reply was filed on February 3, 2003, accompanied by a request and fee for a one month extension of time, and provide a copy of the reply with a properly executed Certificate of Mailing dated February 3, 2003. The Office has no record of receiving the reply. In view of the evidence presented it is concluded that applicants replied or attempted to reply in a timely manner. The Notice of Abandonment was mailed in error and is withdrawn and the application restored to pending status with the mailing of this decision.

Applicants' petition is **GRANTED**.

The application will be forwarded to the examiner for further consideration

Should there be any questions regarding this decision, please contact William R. Dixon, Jr., by mail addressed to Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.


Bruce M. Kisliuk
Director, Technology Center 1600

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